

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of: ) Group Art Unit: 1644  
LAHN et al. )  
Serial No.: 09/826,319 ) Examiner: Schwadron, R.B.  
Filed: April 3, 2001 ) Confirmation No.: 4155  
Atty. File No.: 2879-80 )  
For: "METHOD TO INHIBIT AIRWAY )  
HYPERRESPONSIVENESS USING )  
AEROSOLIZED T CELL RECEPTOR )  
ANTIBODIES" )

**REPLY TO NOTIFICATION OF**  
**NON-COMPLIANT**  
**APPEAL BRIEF**

**SUBMITTED VIA EFS-WEB**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

This Reply is filed in response to the Notification of Non-Compliant Appeal Brief mailed on May 1, 2008, the time for reply expiring June 1, 2008. No additional fees are believed to be due in connection with this Reply, but in the event that fees are due, please debit Deposit Account No. 19-1970.

In the Notification of Non-Compliant Appeal Brief, the Examiner indicated that the Brief contains new evidence (U.S. Patent No. 6,171,799) but did not contain a copy of this evidentiary document or a statement setting forth where in the record that the evidence was entered by the Examiner.

In reply, enclosed is a Second Amended Appeal Brief, which fully addresses the omission noted by the Examiner. Specifically, a copy of U.S. Patent No. 6,171,799 is submitted with the Second Amended Appeal Brief, and reference to U.S. Patent No. 6,171,799 and a statement setting forth where in the record it was entered by the Examiner are included in the Evidence Appendix on page 51.

*Application/Control No. 09/826,319  
Art Unit 1644*

Any questions or concerns regarding this Reply should be directed to the undersigned at (303) 863-9700.

Respectfully submitted,

SHERIDAN ROSS P.C.

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Date: May 19, 2008